

## **Testimony of: Jerome M. Ensminger**

Good morning, my name is Jerry Ensminger and I served my country faithfully for twenty-four and one-half years in the United States Marine Corps. I would like to take this opportunity to thank the chairman, the committee members, and their staffs for all of the hard work that went into making these hearings possible. I must say that it has been inspiring for me to have tuned into C-SPAN these last several months and witnessed our congress doing what our founding fathers intended. You have been taking on the tough issues that matter to the majority of our citizens, not just the issues that affect special interest groups and big business. I, and I am quite sure most Americans, applaud you for your efforts.

I am appearing here today as one spokes person for the hundreds of thousands of Marines, Sailors, their families, and the loyal civilian employees who were unknowingly exposed to horrendous levels of toxins through their drinking water at Camp Lejeune, N.C. Camp Lejeune is, quite possibly, one of , if not the worst, water contamination incidents in history. I can confidently make this claim based on the potential numbers of people who were exposed and the documented levels of contaminants that were present in the finished drinking water at the base. Ironically, most of these people still do not have any idea that they were

exposed to these contaminants at Camp Lejeune. They have not been notified and the United States Marine Corps has to date refused to institute any type of legitimate notification plan/policy. I can assure you that there are many more individuals and families who are now literally spread out all over the country that are wondering, "What happened to me?" "What happened to my family member?" These people deserve an answer. It is time for the United States Marine Corps to live up to their motto "Semper Fidelis" which is Latin for "Always Faithful."

My daughter Janey was conceived while her mother and I lived in one of the base family housing units that was affected by the contaminated drinking water at Camp Lejeune. Just like our other children, Janey was born seemingly normal, that is until she was diagnosed with Acute Lymphocytic Leukemia at the age of six. In 1997, the Agency for Toxic Substances and Disease Registry (ATSDR) proposed a childhood Leukemia /Non-Hodgkins Lymphoma study for children exposed to VOCs in-utero while their parents lived at Camp Lejeune between the years 1968-1985. The proposal (CLW 2815-2832) which was sent to the

Secretary of the Navy, stated that the expected occurrences of these illnesses in a group of 10,000 - 12,000 births for that time period was 7.2 cases. ATSDR has now confirmed 14 cases of leukemia and 2 non-hodgkins lymphoma out of 12,598 respondents to their survey. This is more than a 100% increase in the incidence of these childhood cancers.

On October 1, 1980, representatives from Navy Facilities Engineering Command, Atlantic Division from Norfolk, VA. Came to Camp Lejeune. They took a composite water sample of all eight water systems that were operating on Camp Lejeune at that time. The results of this composite sample (CLW 0430) showed VOC contamination that exceeded today's Maximum Contaminate Level (MCL) of 5ppb. We must remember that this was composite (combined) sample of which 6 of the contributing water systems were not deemed to be contaminated. Ms. Elizabeth Betz, Supervising Chemist at Camp Lejeune's Quality Control Laboratory wrote a memorandum (CLW 0613) dated 31 August 1982 that specifically addressed the 1 October 1980 sampling event. First and foremost, the analytical results for this sample were not provided to Camp Lejeune until 12 August 1982 and Ms. Betz points out errors that were committed during the sample collection process. Also, during October of 1980 the United States Army Environmental Hygiene Team from Fort McPhearson, GA. Began testing certain water systems aboard Camp Lejeune for total Trihalomethanes (TTHMs). Their analysis of the 30 October 1980 water samples taken from the Hadnot Point Water Distribution System had the following hand written remark: "Water is highly contaminated with low molecular weight halogenated hydrocarbons." (CLW 0436) On 29 December 1980 another sample was taken from the Hadnot Point system and again the U.S. Army laboratory wrote a note on the analytical form, "Heavy organic interference at CHCL2BR. You need to analyze for chlorinated organics by GC/MS. (CLW 0438) Once again samples were taken of the same system on 30 January 1981 and the U.S. Army laboratory wrote on the analytical result form "You need to analyze for chlorinated organics by GC/MS (GC/MS is an abbreviation for Gas Chromatograph / Mass Spectrometer.) Finally, on 9 March 1981 more samples of Hadnot Point water system were collected and analyzed. The U.S. Army laboratory once again wrote a note at the bottom of the analytical result form "Water highly contaminated with other chlorinated hydrocarbons (solvents)! (CLW 0443) These analytical result forms were being sent by the

U.S. Army directly to the Navy Facilities Engineering Command, Atlantic Division, Norfolk, VA. No action was taken. In fact, officials at Camp Lejeune were unaware of the U.S. Army's finding until the Summer of 1982. When the EPA's MCLs for TTHMs went into effect in 1982, Camp Lejeune was required to use a North Carolina state certified laboratory for the analysis of their water. Grainger Laboratories of Raleigh, N.C. was contracted by Camp Lejeune to analyze their water samples. In May 1982, a Grainger laboratory representative phoned Ms. Betz of Camp Lejeune and informed her that they had found high levels of Volatile Organic Chemicals (VOCs) during their analysis of the Hadnot Point and Tarawa Terrace water systems. They had a problem with some of the sample bottles and they requested that Camp Lejeune take new samples. On 10 August 1982, Mr Bruce A. Babson, a chemist with Grainger laboratories, wrote a letter to the Commanding General of Camp Lejeune. (CLW 0592,0593) In his letter Mr. Babson stated "Interferences which were thought to be chlorinated hydrocarbons hindered the quantitation of certain trihalomethanes. These appeared to be at high levels and hence more important from a health standpoint than the total Trihalomethane content. For these reasons we called the situation to the attention of Camp Lejeune personnel." Mr. Babson went on in his letter to describe the levels of the chemicals they had found in the samples. Tetrachloroethylene (PCE) 104 ppb in the Tarawa Terrace (TT) sample and Trichloroethylene (TCE) 1,400 ppb in the Hadnot Point sample. There was absolutely no action taken by Camp Lejeune officials after they received this warning. On 19 August 1982, Ms. Betz wrote another memorandum (CLW 0606-0607) to Mr. Sharpe, Supervisory Ecologist, Environment Section. In her memorandum Ms. Betz outlines the Grainger laboratory results and she also discusses the EPA suggested no adverse response levels (SNARLS) for the chemicals found in Camp Lejeune finished drinking water. In paragraph #8 of her memo Ms. Betz writes that the levels of PCE for the Tarawa Terrace system exceed the EPA's guidance. In fact, they were more than doubled. Grainger laboratories continued to test Camp Lejeune's finished drinking water for TTHMs throughout 1982-1983 and each time they detected high levels of VOCs. They contacted Camp Lejeune and they annotated it on their analytical result form. (CLW 0693, 0953) No action was taken!

In 1982 the U.S. Navy began their Navy Assessment and Control of Installation Pollutants (NACIP) Initial assessment study (IAS) of Camp Lejeune. This program was started in 1980 by the U.S. Navy to

identify any possible “Love Canals” at any Naval shore installations (CLW 4994). The NACIP IAS was completed for Camp Lejeune and they issued their report in April 1983. The general finding of the NACIP IAS report stated in paragraph 2.2.2 “Seventy six waste disposal sites have been identified; however, most (54) do not contain hazardous waste or do not pose a significant threat to human health or the environment.”

and 2.2.4 “No industrial or municipal wastes were found to be migrating onto base property.” I would like to know how these “experts” came to this conclusion. Did they take water samples from the groundwater aquifers or did they make this assumption from a quick drive around the boundary of the base? Camp Lejeune officials, quick to seize on this IAS report, wrote a letter to the state of North Carolina, Division of Health Services, Solid and Hazardous Waste Management Branch (CLW 0948). In their letter to the state, a Camp Lejeune official wrote “The study concludes that none of the 76 sites pose an immediate threat to human health or the environment,...” There is quite a big difference in the definition of the words “most” and “none”, especially when they are used in reference to hazardous waste sites and human health! There are some very pertinent questions about the NACIP IAS that remain unanswered. Did Camp Lejeune inform the NACIP IAS team that VOCs had already been detected in their finished drinking water? Did the

NACIP IAS team ask for existing analytical results of Camp Lejeune drinking water when they inspected the water treatment plant? The NACIP IAS was on-going when Camp Lejeune received the 10 August 1982 letter (CLW 0592) from Grainger laboratories. Did Camp Lejeune provide this letter to the NACIP IAS team? It would be my guess that none of this information was shared with the NACIP IAS team. I make this assertion based on a letter dated October 25, 1985 from the state of North Carolina to Mr. Larry Fitzpatrick. The attachment to this letter was an assessment written by Mr. Rick Schiver of N.C.s Department of Environmental Management concerning the groundwater contamination at Camp Lejeune. In his assessment, Mr. Schiver wrote “During July 1984, confirmation studies were begun at eighteen (18) priority sites. The results of these groundwater studies were documented in a report provided to the Marine Corps in February 1985: as the Marine Corps disagrees with the conclusion in this report, it will not release

a copy of it to any outside agency. It is my estimation that when the NACIP team came back to Camp Lejeune in July 1985, officials at the base, realizing that the NACIP confirmation study would reveal the

existing groundwater contamination, they informed them of the existing analytical results. It is my opinion that the NACIP team was both professionally embarrassed and appalled by the fact that this information had been available during their IAS of the base in 1982. They had neither asked for it and worse, Camp Lejeune officials concealed the information from them. I suspect that the NACIP team wrote a “scathing” confirmation study report about Camp Lejeune. No one with whom I have personally spoken, has seen this report. It is imperative that Congress obtain a copy of this “original” report. I believe that it is the “smoking gun” in relation to the drinking water contamination at Camp Lejeune.

As stated previously, the NACIP Confirmation study began in July 1984 (Note: The U.S.E.P.A. issued RMCLs for VOCs in June 1984) and they began testing the individual water supply wells in October. The results of these samples began to trickle back in during November and December of that year. It was more than 4 years after the initial discovery of VOCs in Camp Lejeune’s finished drinking water before they took any action to remedy the situation. During the months of November and December of 1984, Camp Lejeune removed (7) contaminated water supply wells from service in the Hadnot Point system. In January 1985, the Chief of Staff’s wife smelled fuel in the tap water at their quarters on Paradise Point officers’ housing area. This housing area was served by the Holcomb Blvd. water treatment plant since August 1973. (Note: Remember this water system and date; it becomes very important later in time) Camp Lejeune maintenance

workers discover that an emergency back-up generator fuel line had burst, allowing fuel to enter the water system. The Holcomb Blvd. plant was immediately taken off line and this area was provided Hadnot Point water via an existing inter-tie between the (2) systems. Camp Lejeune officials notified N.C. state health and environmental authorities of the accidental contamination. After thoroughly flushing the Holcomb Blvd. system with Hadnot Point water, military and N.C. state authorities began testing the water to ensure that the fuel had been sufficiently flushed out of the system. What they found was worse! At the Berkley Manor Elementary School they found Trichloroethylene (TCE) at 1,148.4 ppb and Dichloroethylene (DCE) at 406.6 ppb. (CLW 2254) This is when well #651 of Hadnot Point water system was discovered. This well was located at the back corner of Lot #203, the Defense Revitalization Management Office yard; (The base junk yard!) (Note: Well #651 was constructed in 1971, 30 years after operations began at Lot #203). This well tested at 18,900 ppb of Trichloroethylene (TCE) and 655 ppb of Vinyl Chloride during early February 1985 testing. It should be pointed out that well #651 was the only contaminated well

that was still pumping during the January, February 1985 time frame. This one contaminated well caused finished drinking water samples to exceed the 1,000 ppb for TCE alone. One can only imagine what the levels of contaminants were prior to the November/December 1984 time frame when several of these contaminated wells would have been pumping at the same time. Hopefully, the ATSDR's on-going computerized water modeling will answer that question. During this same time frame, the water system for the Tarawa Terrace (TT) base family housing area was found to be contaminated with high levels of Tetrachloroethylene (PCE). It should be pointed out at this time that the highest contaminated water supply well for TT (TT - 26 @ 1,580 ppb PCE) was constructed at the property line. TT's well field was constructed down gradient and directly across the street from a dry cleaning establishments, gasoline stations, automotive repair facilities, and known septic sewage ground absorption systems.

On 11 March 1985, Mr. Julian Wooten, Director of Camp Lejeune's Natural Resources and Environmental Affairs Division wrote what I can only describe as a "C.Y.A." letter. (CLW 1179-1180) In his letter, Mr. Wooten explained, "in remarkable detail," the recommendations of, and the sources contacted (and not) by Mr. Hubbell. My only regret about this letter is that Mr. Wooten concurred with Mr. Hubbell's recommendations. (See paragraph #3, CLW 1180) Mr. Wooten was a personal friend of mine. When I discovered this letter, I was greatly disheartened and disillusioned by his actions (or lack there of). I lost a lot of respect for this man. It is quite obvious that these authorities were playing a selective game of "Ostrich;" put your head in the sand and do not look back where you know the damning information lies. That way if all of this comes up later, they can say, "We did not know any better." This is

the exact tactic that has been employed by the D.O.N. and the U.S.M.C. ever since this situation truly became public in 1997. Mr. Wooten retired in the 1990s; Mr. Hubbell holds a "FLAG RANK" civilian Position at HQMC. His biography can be viewed on the U.S.M.C.'s official website ([www.usmc.mil](http://www.usmc.mil)), General officer biographies.

On October 4, 1989, (CLW 4976) Camp Lejeune was placed on the National Priority List (NPL) for contamination sites. This appointment automatically required the ATSDR to execute their Congressionally mandated mission and perform an assessment at Camp Lejeune for human exposures to the contamination. Initially, the U.S.M.C. provided information to the ATSDR (see PHA for Camp Lejeune) and the public

about the Tarawa Terrace Hadnot Point and Holcomb Blvd. service areas that was incorrect and blatantly untrue! When the ATSDR began their assessment of the contamination at Camp Lejeune, there were several letters written requesting data on the water systems and the contamination sites on the base. On February 23, 1993, Ms. Nancy L. Sonnenfeld of the ATSDR's Epidemiology and Surveillance Branch Wrote a letter to Mr. Neal Paul of CLNC, Environmental Management Department (CLW 2245, 2246). In her letter, Ms. Sonnenfeld explained exactly what information / data the ATSDR was looking for, drinking water distribution systems data. I would like to point out the statement made by this scientist at the beginning of paragraph #3 in this letter. It is my opinion that statements such as these are considered pandering and gives the impression that the ATSDR is willing to play on both sides of the fence! While I did obtain this letter, none of the enclosures have ever been made public. A letter written to CLNC on March 5, 1993 (CLW 2247) ATSDR environmental engineers were requesting copies of site related materials appropriate for the preparation of public health assessments. The author of this letter, Mr. Stephen S. Aoyama, P.E. was very thorough in his request. Please note the hand-written comments that were made on the letter at CLNC. "Final Reports Only" -- "Send 2 or 3 Final R1/FS." This was not what ATSDR asked for; this was a deliberate stalling / harassment tactic. Then, on September 2, 1994 (Note: 6 days prior to their initial release of the Camp Lejeune PHA) the ATSDR's Office of Assistant Administrator wrote a letter to the Engineering Support Department, Navy Environmental Health Center (NEHC), Norfolk, VA. (CLW 2407) This letter states "We have sent MCB, Camp Lejeune several requests for information and, in most cases, the responses were inadequate and not supporting documentation was forwarded." (Note: All of the handwritten notes were on this letter when it appeared on the PDF file. (Please note the "knee jerk" comment at the lower left.) Then I find a letter from the Commanding Officer of the NEHC (CLW 2406) a subordinate command to CLNC "recommending" that they cooperate with the ATSDR and provide them with the requested data. Please note that higher headquarters was copied on this letter and the enclosure. I have found no documented involvement from higher headquarters where they chastised CLNC authorities for their lack of cooperation with the ATSDR. The fact that there is no documented corrective action from any of the higher headquarters is a clear signal that they complied with and were party to the tactics being employed by CLNC in this situation. I have found many data requests (in writing) from the ATSDR. I have never found any written submissions of data to the ATSDR from

CLNC, not one! We have submitted Freedom of Information Act (FOIA) requests to the ATSDR and the USMC for any and all documents pertaining to data submissions from CLNC to the ATSDR. None of these

FOIAs have ever been fulfilled. In fact, the Director of the ATSDR sent me a letter dated 4 May 2007 that his agency can not produce the supporting documents for their 4 August 1997, PHA of Camp Lejeune. Dr. Frumkin stated that all of these reference documents had been “mistakenly” destroyed by a private contractor????!! It would be interesting to find out how many other N.P.L. sites P.H.A. supporting Documents have been lost or destroyed by this agency or is it only the Camp Lejeune documents?

At the same time the ATSDR was conducting the PHA for Camp Lejeune, (1992-1997) the ATSDR proposed an adverse pregnancy outcome study for the years 1968-1985. (CLW 2528 - 2529) This study was conducted and it became the basis for the Camp Lejeune Health Survey (1999-2003) and the epidemiological study that is still in progress. There is a problem with the findings of this initial study. Camp Lejeune officials provided the ATSDR with incorrect water system / distribution data for the Holcomb Blvd. and Tarawa Terrace service areas. The ATSDR had been led to believe that the Holcomb Blvd. water service area had received their drinking water from the Holcomb Blvd. water treatment / distribution plant. This water treatment plant was not constructed until 1972 and the Camp Lejeune Plant Account records show it as becoming operational in August 1973. (CLW 3238) Prior to 1973, the base family housing in this area, Berkley Manor, Paradise Point, and Midway Park, received their water from the presumed contaminated Hadnot Point system. Furthermore, CLNC officials misled the ATSDR and the public to believe that when the 2 wells in the Tarawa Terrace (TT) system had been taken off line because of contamination, they shut the entire TT water distribution system off. They proclaim in many documents (CLW 3075, 3076, 3077, 3161) “that without the production from those 2 contaminated wells, the TT plant could not meet the water demand. Since 1985 TT received their water from the Holcomb Blvd. system.”

We know that this was not the truth, the Tarawa Terrace water system stayed in production and on-line until

March 1997. Because of the incorrect information for the Holcomb Blvd. service area an estimated 1,500 pregnancies were overlooked in the 1968-1985 “Adverse Pregnancy Outcome” study. I have no idea how many babies were excluded because of the erroneous data on TT. We also know from internal U.S.M.C. documents that Camp Lejeune officials turned on one of the known contaminated TT wells to meet water



demand during peak demand periods. (CLW 1132) An action brief (CLW 1129 - 1131) written by the Assistant Chief of Staff Facilities on 1 March 1985 outlined the alternatives for providing water to the Tarawa Terrace (TT) base housing area. The U.S.M.C. constantly states that their highest priority is the Health and welfare of their Marines, Sailors, their families, and the civilian employees on their bases. I can assure you that this document, and the alternatives that we now know were chosen, do not support those claims. According to the alternatives that we now know were selected from this document, health and welfare took a back seat to money and favors. In 1999, Major Tom Townsend, USMC (Retired) began a very aggressive letter writing / FOIA campaign. His intent was to procure as much information pertaining

to the situation as he could. It was Tom Townsend who, in 2000, discovered the incorrect water system data for the Holcomb Blvd. service area for the years of 1968 - 1973. He immediately notified USMC officials (in writing) of the error. On 16 November 2000, Ms. Kelly Dreyer, Project Officer, Camp Lejeune Water Contamination, Installations and Logistics Branch, Headquarters Marine Corps (HQMC) sent an email to Neal Paul at CLNC, EMD. In her email Ms. Dreyer outlined the incorrect water system data situation to Mr. Paul. She told him that it was "important to set the record straight" and she wanted him to write a memorandum to ATSDR with the correct information. Ms. Dreyer went on to spell out in detail what information she wanted on the memo and gave him a "by date" for completion and signature of 1 December 2000. She also directed that the Commandant of the Marine Corps and the NEHC be copied. Four months later, March 16, 2001, Ms. Dreyer sends another email to CLNC, EMD requesting the very same information. (CLW 3307) The only difference is that this time she addresses her request to Mr. Rick Raines, a subordinate of Mr. Neal Paul who received the first directive. Needless to say, this memorandum was never written. The ATSDR never knew they had incorrect water system data until I told Dr. Frank Bove

During a telephone conversation in 2002. The U.S.M.C. had corrected their error by placing a new entry on their chronology which is located on their official website. The U.S.M.C. never informed the ATSDR that their "Adverse Pregnancy Outcome" study had been skewed by the incorrect water system data. What is just as appalling is the fact that the U.S.M.C. did not correct this error knowing full well that the ATSDR was well into their Childhood Cancer and Birth Defects study. Had it not been for Tom Townsend's diligence, this lie may never have been uncovered. The lies about the Tarawa Terrace water system were

never rectified. It is unknown how many babies that were exposed to these contaminants have been overlooked by the ATSDR's studies.

When the ATSDR announced their proposal for a Childhood Cancer study on June 23, 1997 (CLW 2815) it caused a firestorm of lies and deceit amongst the USMC and DoN "spin doctors." When any press interviews or press releases were issued concerning the Camp Lejeune water contamination, they always pointed to the Tarawa Terrace base housing area. This was because they had an off-base "scapegoat" on which to focus the attention of the media and the public. When the ATSDR went to the Secretary of the Navy to acquire funding for their proposed Childhood Cancer study in 1997, Ms. Elsie Munsell wrote a letter to the ATSDR. (CLW 2917) In her letter, Ms. Munsell wrote "the volatile organic chemicals found in the water supply under investigation came from an off base source, ABC One Hour Cleaners. According to our investigation, this off site source of contamination is a National Priorities Listed Site under the jurisdiction of the EPA. Therefore, in accordance with CERCLA 107(a), it is more appropriate for you to seek funding for the study from the responsible party." The USMC /DoN's incorrect water system data had worked wonders for them thus far. They had the ATSDR believing that the only one small housing area, the 21 housing units at Hospital Point, were exposed to contamination caused by the military. In reality, it was 1,929 units for the years of 1968 - 1973. They had the Secretary of the Navy's Office baffled as well and they got away with not funding the ATSDR's study because of it. The ATSDR then proceeded to pursue the funding from the White House Office of Management and Budget (OMB); they succeeded. OMB authorized the funding based upon III phases; if the 1<sup>st</sup> phase (the survey) showed enough data (cases), then it would proceed to the 2<sup>nd</sup> phase (verification of reported ailments). If the 2<sup>nd</sup> phase showed enough medically verified cases, then it would proceed into the 3<sup>rd</sup> and final phase, the epidemiological study of the confirmed cases. It is my opinion that the DoD agencies involved in the process did everything possible to kill this study in the 1<sup>st</sup> phase. They held the keys to all of the data that The ATSDR needed. To ensure the validity of the 1<sup>st</sup> phase of this study, 80% of the estimated 16,500 Pregnancies that occurred at Camp Lejeune between the years of 1968 - 1985 need to be contacted. DoD agencies initially pledged their support of these efforts, but it quickly degraded into "stonewalling" and delaying tactics. What better way to "kill" this study than by ensuring that the ATSDR did not contact the 80% of pregnancies required by OMB to validate the 1<sup>st</sup> phase? This very scenerio was alluded to by Ms.

Kathy Skipper of the ATSDR, Public Affairs Office in an email to Ms. Kelly Dreyer of HQMC (CLW 3130).

Upon OMB approval of the ATSDR funding, ATSDR personnel proceeded with the writing and peer review for the protocol of their proposed study. Once all of this was accomplished, it was time to start mailing out the questionnaires to the small number of subjects that had thus far been identified. The Survey (Phase #1) was supposed to begin in January 1999; this did not happen because of an objection by DoN and USMC authorities in October 1998. Their objection was based on the release of the Hollywood movie “A Civil Action!” (CLW 2996 - 2999) It would appear (CLW 2995) that they had partial success in their efforts when they got the beginning of the survey kicked back by one month. In reality, the survey never started until October of 1999 when the USMC posted the “Camp Lejeune Area Water Survey” information sheet on their official USMC website. (CLW 3161) This document which cited the dates 1968 - 1985 carried on the lies; it only referred to Tarawa Terrace and Hospital Point housing areas as being affected by the contamination. It also continued the lie about Tarawa Terrace base family housing area being provided drinking water from the Holcomb Blvd. system since 1985. These people delayed the very mechanism (the study) that I was looking to for an answer to a question that had nagged at me for 15 years by this point. I wanted to know what caused my daughter’s illness and her subsequent death. I still do not have that answer, but I do have a very good idea. To have discovered that this answer got delayed for another 9 months because of the release of a Hollywood movie was, to say the least, infuriating! DoD agencies never fully cooperated with the ATSDR’s study efforts until the September / October 2000 time frame. This is when the ATSDR announced that they were going to execute a “nationwide media blitz” to locate enough (80%) of the estimated 16,500 pregnancies in order to validate Phase #1 of their study. It was at this point that the USMC finally somewhat relented. They (USMC) did not want the ATSDR to pursue this media campaign without their involvement. (It would make the USMC look bad.) On 1 November 2000, a joint Pentagon Press conference took place which included Marine Corps and ATSDR representatives. It is quite obvious by reviewing the packet of documents that I printed from the internet in November 2000, that the USMC was starting to correct some of their lies, but it is quite obvious from the conflicting information on different documents that they (USMC) were having a difficult time conveying the truth. CLW 1194 “Procedures for operating the “new well” at Tarawa Terrace” really

makes me wonder if these people (USMC) ever really did stop using this well. Mysteriously, most of the water treatment plant log book entries concerning water levels and booster pump operation for Tarawa Terrace ceased in May 1985. It is my suspicion that the contaminated TT new well (TT-23) continued to be operated until March 1987 when the Tarawa Terrace water treatment plant was closed. What other explanation is there for this document (CLW 1194) to have been generated?

There have been numerous federal agencies who have looked into the Camp Lejeune water contamination incident and they have issued reports, the most recent being the GAO. In February 2004, The Commandant of the Marine Corps named his "Blue Ribbon" panel to look into the issues surrounding the Camp Lejeune water contamination incident. This panel was appointed by the Commandant as a "damage control" tactic following the January 2004 Washington Post article concerning the contamination. When they (USMC) named the members of this panel, I knew that this was going to be one more "white wash" attempt. Senator Elizabeth Dole (R,N.C.) even called the Marine Corps selection of panel members "absurd." They named former Congressman Ronald Packard (R,CA.) as the chairman; it did not take me long to figure out Mr. Packard's connection to this situation. He had previously represented southern California 48<sup>th</sup> district whose largest industry was Marine Corps Base, Camp Pendleton. It just so happened that Camp Pendleton was where the Commandant (General Hagee) had done the majority of his command time as a General Officer. Secondly, he chose retired General Hearney, the former Assistant Commandant of the Marine Corps (ACMC) for the years of 1994 - 1996. I am quite certain that General Hearney had Attended briefings during his tenure as (ACMC) concerning the CLNC water situation. Thirdly, he appointed Mr. Robert Piere, the former Assistant Secretary of the Navy for Installations and Environment. It was this man's office who turned down the ATSDR's request for funding of the Camp Lejeune Childhood Cancer study in October 1997! When these panel members were named, there was such an overwhelming outcry of "foul" that the Marine Corps was forced to name (2) additional "independent" members to this panel. They appointed Dr. Robert Tardiff and Dr. William Glaze to the panel. I quickly vetted both of these new additions and found the following. Dr. Robert Tardiff was the President /CEO of the Sapphire Group. This company was nothing more than environmental "hired guns;" they performed risk assessments

on chemicals and products for the highest bidder. Dr. William Blaze was the only member of this panel that

could truly be considered objective and non-biased. The first meeting of this panel took place at Camp

Lejeune in April / May time frame. After their meeting aboard the base, the panel members attended a press

conference / meeting at the Jacksonville, N.C. U.S.O. This took place on a Friday and Dr. Glaze did not

appear at the press interview the following Monday. His resignation from the panel was announced by the

Chairman, Ron Packard. Mr. Packard stated that because Dr Glaze was on the E.P.A.'s science advisory

board, he (Dr. Glaze) feared that those duties might be a conflict of interest if they (EPA Science Advisory

Board) were called upon to review the findings of the Commandant's Panel! No, Dr. Glaze who cherished

his position in the world of academia saw the "handwriting on the wall" after he attended the first meeting

at Camp Lejeune. If he wanted to retain his high standing that he had attained in academia and the scientific

Community, he needed to distance himself from this fiasco. Then when the Commandant revealed his

charter for this panel, I knew that it was a hoax. The charter charged the panel to review only the

circumstances surrounding this situation from 1980 - 1985. I knew right then that his entire panel was

nothing more than a farce. It was akin to placing a band-aid over a sucking chest wound; too little, too late!

This panel completed their charter and filed their report and while they found some fault with the actions of

some departments the end result was "no harm, no foul." This was what I predicted; this is what we got.

The EPA Inspector General's office did a small investigation into some of the complaints pertaining to this situation. It was very small; they interviewed me once in person and then they issued their report. I was

not even aware that they had issued a report until it was cited by the GAO.

The EPA Criminal Investigation Division conducted a criminal investigation into the circumstances surrounding the Camp Lejeune water contamination. I went to a briefing on the findings of this

investigation on 25 August 2005 at the Department of Justice in Washington, D.C. At the briefing, it was

stated that there were no crimes committed by DoD personnel or their representatives. In a recent telephone

conversation with Special Agent Tyler Amon, the agent in charge of the Camp Lejeune investigation, he

stated that he had recommended charges against personnel involved in this investigation. It was the

judgement of the Department of Justice prosecutors that they could not successfully prosecute those charges

in Federal Court. The GAO cited the EPA, CID investigation in their report. They wrote that the EPA, CID investigator reported that “the Marine Corps admitted that it failed to adequately address concerns and data requests from the public and ATSDR.” Failed to address data requests from the ATSDR? Is this not a violation of federal law? The fact that Marine Corps officials knew that the ATSDR had incorrect water system data for Camp Lejeune (provided by them) and they did nothing to correct it; is this not a violation of federal law? The fact that Marine Corps officials changed the answers to an interview for the media from the truth to a lie; is that not a violation of federal laws? I can assure you that had I pulled some of these very same stunts while on active duty, I would probably still be in Fort Leavenworth Federal prison. The fact that Mr. Townsend and I were only provided an abbreviated version of the investigation report, we still have some very valid questions that have not been answered. Was the DoD main-frame computers and servers searched for all emails pertaining to this matter? I can assure you, the number of emails that we now possess are only a fraction of the ones that were generated on this subject. The emails that currently exist were captured from personal computers or files that someone had printed off. If we are ever going to find the truth in this situation, it is my belief that it is lying in the servers of DoD and the CDC.

Most recently, (May 2007) the GAO published a report on a study that they had conducted on the circumstances surrounding the Camp Lejeune water contamination incident. First, I would like to point out that since the beginning of the GAO’s efforts related to this situation, their principle investigator changed no less than (4) times. When this study began, Mr. John Oh was the principle. He left and his responsibilities were assumed by a Ms. Bonnie Anderson. When Ms. Anderson left a Ms. Danielle Organek took over and then she was finally replaced by a Ms. Karen Doran. It is no wonder that this report is so full of errors, omissions, and half-truths. How do you conduct a valid study into a situation that spans nearly thirty years and is as sorted and twisted as the Camp Lejeune situation without at least maintaining continuity? Furthermore, this report was written in consolatory language that wreaks of cover-up. There are too many areas in this report that are erroneous for me to list in this testimony. I am, instead, providing you with my own copy of the GAO report which I have thoroughly highlighted and annotated.

The Agency for Toxic Substances and Disease Registry (ATSDR) has been a “bitter sweet” experience

for me. It is my opinion that the ATSDR's Department of Health Assessments and Consultations (DEHAC)

has become an excuse mechanism for polluters and the chemical production industry. All anyone need do is

review several of their Public Health Assessments and you will notice the trend. While they have become very skilled at changing their wording, the end result is always the same. No harm, no foul! They constantly state that there are too few studies available for them to draw any firm conclusions from. Then they recommend that no further studies are required for these exposures! How are they ever going to increase the scientific knowledge on the effects these chemicals have on humans if they do not recommend studies? The only reason that a further study was recommended at Camp Lejeune was Nancy Sonnenfeld who was working with the ATSDR while pursuing her PHD performed the "SMALL FOR GESTATIONAL AGE AND ADVERSE PREGNANCY OUTCOME" study as her dissertation and her findings were apparently very profound. This is when the ATSDR recommended the Childhood Cancer / Birth Defects in utero study at Camp Lejeune. This all mainly happened because of a dissertation! It really makes me wonder how many other N.P.L. sites that have been "played down" by one of ATSDR's Public Health Assessments (PHA) that truly deserved further studies.

The recent GAO report cites ATSDR officials as saying that their work at Camp Lejeune has not been delayed because of either a lack of cooperation from DoD entities or funding. If this is true, why is it that the exposure information in the Camp Lejeune final PHA is incorrect? If the DoD representatives who provided ATSDR this data were not at fault, I would assume that ATSDR staff incompetency was responsible. The fact is that the adverse pregnancy study overlooked 1,500 plus births in the Holcomb Blvd. service area. There is an unknown number of births at Tarawa Terrace that have been overlooked. Was this not because DoD representatives provided ATSDR staff with erroneous data? If it was not DoD's fault, then it must again be related to the incompetency of ATSDR staff. We know that the survey (Phase 1)

was scheduled to start in January 1999, but it never started until late September of that year. We have also seen the emails recommending the delay of that survey because of the release of the movie "A Civil Action." This delay was not requested by DoD entities? We know that the study covered the years of 1968 - 1985 and we now know that the Tarawa Terrace water system continued to operate until March 1987. Previously, we were told that it ceased operation in 1985. The ATSDR missed fifteen months worth

of births at this base housing area. Since DoD entities have not done anything to hinder ATSDR's efforts at

Camp Lejeune, then once again, this can only be attributed to the incompetence of ATSDR staff. How does

the ATSDR explain all of the letters that have been written by them complaining about the lack of cooperation of DoD entities in the Camp Lejeune situation? They were cooperating, but the ATSDR just decided to write letters of complaint? The Agency for Toxic Substances and Disease Registry is, in my opinion, seriously deficient of an extremely important requirement, Intestinal Fortitude (GUTS). I realize that there is a need for cooperation between Federal agencies and departments. I also understand that every precaution should be taken to nurture and preserve a good working relationship between one another. The ATSDR needs to understand that respect is a two way street; there should be a limit to the evident lack of respect and cooperation that the ATSDR accepts from the DoD! I travel through rural North Carolina every

day. During my travels, I pass through many poor, underprivileged, and under educated neighborhoods. Many of these people do not even have a grasp of the English language. God forbid that something like what happened at Camp Lejeune would happen to one of these neighborhoods. Who would be their champion? Who would stand up and fight for them? The ATSDR? They will not even make a stand to defend themselves! Would our EPA be there to defend these people? Evidently not. We had a panel of expert scientists recommend in their report last summer that our EPA should lower the protective standard for trichloroethylene (TCE) in drinking water without any further delay. It has been almost a year since that

report was released. We still do not have a new standard. No, I am afraid that if an incident such as the contaminated water at Camp Lejeune happened in one of the afore mentioned neighborhoods, it would be dead and buried along with their family members. It is my honest opinion that the citizens of our country would be better served if our congress dissolved the ATSDR. Why pay for the up-keep of an agency that is quite obviously not accomplishing the mission for which they were created? I believe that our citizens and our environment would be better served if we contracted universities to perform the assessments at our NPL

sites. I truly believe that we would get a more honest and thorough assessment than what we are getting now! Lastly, the ATSDR can not even produce the references (supporting documents) for their PHA of Camp Lejeune. (See my letter of April 16, 20007 to ATSDR and their response dated May 4, 2007.) The



ATSDR stated in their 4 May 2007 letter to me that the references for the Camp Lejeune PHA had been destroyed by a private contractor. I would like to remind you that the GAO cited the EPA, CID investigation report which stated the documents had not been destroyed. It would appear Mr. Chairman that we have several Federal agencies involved in this fiasco who can not seem to get their answers straight!

In closing, I would like to say that the last 10 years have been a real experience for me. For an organization that supposedly prides itself on honor and integrity, the United States Marine Corps has certainly turned a blind eye to the documented misconduct and incompetence exhibited by their civilian employees and officers in this situation. The fact that these people are still on their payroll or in their ranks is a silent nod of approval of their actions by headquarters. In fact, most of these individuals, with the exception of one, have been promoted and given more responsibility and authority. This is a scary scenerio;

do you not agree?

My daughter, Janey, fought valiantly against her illness, but the malignancy was too strong. Janey succumbed to her disease at 3:35pm, Tuesday, 24 September 1985. She was only nine years old.

Respectfully Submitted,

J. M. Ensminger